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EXAMINER
SAINT CYR, JEAN D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/698,338	DANKER ET AL.
	Examiner	Art Unit	
	JEAN D. SAINT CYR	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *11 November 2008*.
2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-28* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-28* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *31 October 2008* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This action is in response to applicant's amendment filed on 11/11/2008. Claims 1-28 are still pending in the current application. This action is made **FINAL**.

Response to Arguments

Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection. Applicant argues during the interview and in his response that Alexander et al did not disclose the schedule of multimedia programming and inlaid quick EPG-navigation UI both being presented simultaneously.

However, Lemmons et al disclose in Fig.8 a current program and future program whenever the users select the right arrow at the end of the current program. Lemmons et al disclose pressing the Right Arrow key while cell 320, February 28, is highlighted causes the calendar 302 to switch to the next month. As a result, this action is made final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al in view of Lemmons et al, US No. 6266814.

Re claim 1, Alexander et al disclose presenting an electronic program guide user

interface illustrating a schedule of multimedia programming in a grid pattern (see fig.1; a grid guide 22);

monitoring user interactions with the EPG UI (EPG also records information surrounding the viewer's interaction, col.28, lines 60-61);

responding to a user's selection of one or more of the options of the quick EPG-navigation (Selecting a theme brings up a screen listing, by time, channel, and title, of the programs that are consistent with the selected theme on a second-level theme screen, col.34, lines 46-49).

But Alexander et al did not explicitly disclose in response to one or more triggering user interactions, presenting a quick EPG-navigation UI that is inlaid within the EPG UI, the EPG-navigation UI having one or more user-selectable options therein the schedule of the multimedia programming and inlaid quick EPG-navigation UI being presented simultaneously.

However, Lemmons et al disclose in response to one or more triggering user interactions, presenting a quick EPG-navigation UI that is inlaid within the EPG UI, the EPG-navigation UI having one or more user-selectable options therein the schedule of the multimedia programming and inlaid quick EPG-navigation UI being presented simultaneously(see fig.8 where the multimedia programming and inlaid UI being presented together; if program schedule information is available for the period from February 27 through March 5, pressing the Right Arrow key while cell 320, February 28, is highlighted causes the calendar 302 to switch to the next month, col.17, lines 18-28).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Alexander with the invention of lemons for the purpose of allowing the system to display a current program and a future program simultaneously.

Re claim 2, Alexander et al disclose wherein the method further comprises generating the quick EPG-navigation UI and determining which user-selectable options to include based upon context of user interactions with the EPG UI before a triggering user interaction (the EPG typically returns to the mode in which the viewer was operating immediately before selecting the option that triggered the display of the video clip, col.20, lines 10-12).

Re claim 3, Alexander et al disclose wherein the method further comprises generating the quick EPG-navigation UI and determining positioning of the quick EPG-navigation UI within the EPG UI based upon context of user interactions with the EPG UI before a triggering user interaction (the viewer can jump to the channel slot for a particular channel by entering the digits of the channel identification number on the key pad of the viewer's remote control device. The EPG interprets the number and calculates the proper position for the EPG cursor. The EPG then displays the cursor at the appropriate channel slot on-screen, col.16, lines 29-35).

Re claim 4, Alexander et al disclose wherein the method further comprises generating the quick EPG-navigation UI and determining positioning of the quick EPG-navigation UI within the grid pattern of the schedule of multimedia programming based upon context of user interactions with the EPG UI before a triggering user interaction (The EPG then displays the cursor at the appropriate channel slot on-screen, col.16, lines 34-35).

Re claim 5, Alexander et al disclose wherein a triggering user interaction comprises one or more "scroll-forward" selections, such selection are indicative of a user's desire to see future scheduled programming in the EPG UI (the viewer scrolls up and down the listings for each channel and from left to right and right to left to view the listings for a channel scheduled for different times during the day. Typically, the left-most portion of the guide begins with the earliest scheduled programs and continues to

the right serially through the listings scheduled at later times during the day, col.10, lines 36-42)

Re claim 6, Alexander et al disclose wherein the triggering user interactions are selected from a group consisting of:

multiple repeated performance of a "scroll-forward" selection action which advances a presentation of a schedule of programming in the grid of the EPG UI a predefined amount of time into the future(the viewer user can jump directly to a future day of programming schedule information, col.15, lines 43-44);

a predefined number of multiple repeated performance of a "scroll- forward" selection action;

a performance of a designated selection action.

Re claim 7, Alexander et al disclose wherein the user- selectable options are selected from a group consisting of:

option to search future programming based upon one or more characteristics of that programming;

option to look ahead into the schedule of multimedia programming of the EPG UI;

option to view one or more live television multimedia programs;

option to view one or more on-demand multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more locally stored multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more multimedia commercial messages;

option to filter (the viewer is also given the option of filtering, col.11, lines 35-36) or otherwise adjust the parameters the determine which programs   are listed by time within the grid.

Re claim 8, Alexander et al disclose after the presenting of the quick EPG-navigation UI (see fig.1; a grid guide 22), the quick EPG-navigation UI comprises one or more display areas, wherein contents of such display areas are selected from a group consisting of:

one or more options to search future programming based upon one or more characteristics of that programming (offer search capabilities to the viewer to locate information of interest, Col.18, lines 52-53);

one or more options to look ahead into the schedule of multimedia programming of the EPG UI;

one or more options to view one or more live television multimedia programs;

one or more options to view one or more on-demand multimedia programs;

one or more options to view one or more pay-per-view multimedia programs;

one or more options to view one or more locally stored multimedia programs;

one or more options to view one or more multimedia commercial messages;

one or more options to filter or otherwise adjust the parameters the determine which programs are listed by time within the grid.

Re claim 9, Alexander et al disclose wherein the responding to the user's selection comprises presenting new content of which is selected from a group consisting of:

a new EPG UI listing future programming based upon one or more characteristics of that programming;

a new grid showing a schedule of upcoming multimedia programming of the EPG UI starting at a time in the future (viewer can choose to view the Grid Guide in an "all channel" format which displays in some order every channel and the listings of programs already in progress or scheduled to begin at some time in the future, col.10, lines 32-35);

a live television multimedia program;

a on-demand multimedia program;

a pay-per-view multimedia program;

a locally stored multimedia program;

a multimedia commercial message.

Re claim 10, Alexander et al disclose wherein after the presenting of the quick EPG-navigation UI, the EPG UI comprises:

a first display area comprises at least a portion of the schedule of multimedia programming in a grid pattern (see fig.1, grid guide);

a second display area comprises the quick EPG-navigation UI (see fig.1, element 20, navigation bar).

Re claim 11, Alexander et al disclose wherein the quick EPG-navigation UI is presented so that it is inlaid between time blocks of the schedule of multimedia programming in the grid pattern(see fig.7, a quick navigation table).

Re claim 12, Alexander et al disclose a multimedia presentation system comprising:

a multimedia presentation device (a television receiver, a VCR, or a cable box, col.3, line 25);

a medium as recited in claim 1(see rejection on claim 1).

Re claim 13, Alexander et al disclose means for monitoring user interactions with an electronic program guide user interface (EPG also records information surrounding the viewer's interaction, col.28, lines 60-61) illustrating a schedule of multimedia programming in a grid pattern (see fig.8);

means for receiving a user interaction with the EPG UI (see fig.8, navigation bar)

means for responding to a user's selection of one or more of the options of the

inlaid quick EPG-navigation UI (see fig.8, where the option "sort" was selected by the user);

But Alexander et al did not explicitly disclose means for presenting an inlaid quick EPG-navigation UI in response to one or more triggering user interactions, the inlaid quick EPG- navigation UI being inlaid with the EPG UI and having user-selectable options, wherein the inlaid quick EPG- navigation UI is presented so that the inlaid quick EPG-navigation UI is logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern, the schedule of multimedia programming and inlaid quick EPG-navigation UI both being presented simultaneously.

Where after the presenting of the quick EPG-navigation, the EPG UI includes a first display are having at least a portion of the schedule of multimedia programming in a grid pattern and second display area having the EPG-navigation UI(see fig.8, display 302 and display 304).

However, Lemmons et al disclose means for presenting an inlaid quick EPG-navigation UI in response to one or more triggering user interactions, the inlaid quick EPG- navigation UI being inlaid with the EPG UI and having user-selectable options, wherein the inlaid quick EPG- navigation UI is presented so that the inlaid quick EPG-navigation UI is logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern, the schedule of multimedia programming and inlaid quick EPG-navigation UI both being presented simultaneously(see fig.8 where the multimedia programming and inlaid UI being presented together; if program schedule information is available for the period from February 27 through March 5, pressing the Right Arrow key while cell 320 ,February 28, is highlighted causes the calendar 302 to switch to the next month, Col.17, lines 18-28).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Alexander with the invention of lemons

for the purpose of allowing the system to display a current program and a future

program simultaneously.

Re claim 14, Alexander et al disclose further comprising a means for presenting

the EPG UI (see fig.1).

Re claim 15, Alexander et al disclose wherein the triggering user interactions are

selected from a group consisting of:

multiple repeated performance of a "scroll-forward" selection action which

advances a presentation of a schedule of programming in the grid of the EPG UI a

predefined amount of time into the future(the viewer user can jump directly to a future

day of programming schedule information, col.15, lines 43-44);

a predefined number of multiple repeated performance of a "scroll- forward"

selection action;

a performance of a designated selection action

wherein the triggering user interactions are selected from a group consisting of:

Re claim 16, Alexander et al disclose wherein the user- selectable options

are selected from a group consisting of:

option to search future programming based upon one or more characteristics of that

programming;

option to look ahead into the schedule of multimedia programming of the EPG UI;

option to view one or more live television multimedia programs;

option to view one or more on-demand multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more locally stored multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more multimedia commercial messages;

option to filter (the viewer is also given the option of filtering, col.11, lines 35-36) or otherwise adjust the parameters the determine which programs   are listed by time within the grid.

Reclaim 17, Alexander et al disclose receiving one or more user interactions with an electronic program guide user interface illustrating a schedule of multimedia programming in a grid pattern(EPG also records information surrounding the viewer's interaction, col.28, lines 60-61);

receiving one or more user selections of one or more of the options of the quick inlaid EPG-navigation UI; responding to such user selections (see fig.1, navigation bar).

But Alexander et al did not explicitly disclose in response to one or more triggering user interactions, presenting a quick EPG-navigation UI that is inlaid within the EPG UI, the EPG-navigation UI having one or more user-selectable options therein the schedule of the multimedia programming and inlaid quick EPG-navigation UI being presented simultaneously.

However, Lemmons et al disclose in response to one or more triggering user interactions, presenting a quick EPG-navigation UI that is inlaid within the EPG UI, the EPG-navigation UI having one or more user-selectable options therein the schedule of the multimedia programming and inlaid quick EPG-navigation UI being presented simultaneously(see fig.8 where the multimedia programming and inlaid UI being presented together; if program schedule information is available for the period from February 27 through March 5, pressing the Right Arrow key while cell 320 (February 28) is highlighted causes the calendar 302 to switch to the next month, Col.17, lines 18-28).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Alexander with the invention of lemons for the purpose of allowing the system to display a current program and a future program simultaneously.

Re claim 18, Alexander et al disclose wherein the triggering user interactions are selected from a group consisting of:

multiple repeated performance of a "scroll-forward" selection action which advances a presentation of a schedule of programming in the grid of the EPG UI a predefined amount of time into the future(the viewer user can jump directly to a future day of programming schedule information, col.15, lines 43-44);

a predefined number of multiple repeated performance of a "scroll- forward" selection action;

a performance of a designated selection action.

Re claim 19, Alexander et al disclose wherein the user- selectable options are selected from a group consisting of:

option to search future programming based upon one or more characteristics of that programming;

option to look ahead into the schedule of multimedia programming of the EPG UI;

option to view one or more live television multimedia programs;

option to view one or more on-demand multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more locally stored multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more multimedia commercial messages;

option to filter (the viewer is also given the option of filtering, col.11, lines 35-36) or otherwise adjust the parameters the determine which programs are listed by time within the grid.

Re claim 20, Alexander et al disclose wherein after the presenting of the quick EPG-navigation UI, the EPG UI comprises:

a first display area comprises at least a portion of the schedule of multimedia programming in a grid pattern (see fig.1, grid guide);

a second display area comprises the quick EPG-navigation UI (see fig.1, element 20, navigation bar).

Re claim 21, Alexander et al disclose a presentation unit configured to present an electronic program guide user interface illustrating a schedule of multimedia programming in a grid pattern(see fig.1, grid guide)

an input unit (see fig., remote control) configured to monitor and receive user interactions with the EPG UI.

But present an inlaid quick EPG-navigation UI in response to one or more triggering user interactions received by the input unit, the quick EPG-navigation UI being inlaid within the EPG UI and having one or more user-selectable options and the schedule of multimedia programming and the inlaid quick navigation UI both being presented simultaneously ;
    present new content in response to one or more a user interactions received by the input unit, wherein such interactions are indicative of a user selection of one or more of the options of the quick EPG-navigation UI.

However, Lemmons et al disclose present an inlaid quick EPG-navigation UI in response to one or more triggering user interactions received by the input unit, the quick EPG-navigation UI being inlaid within the EPG UI and having one or more user-selectable options and the schedule of multimedia programming and the inlaid quick navigation UI both being presented simultaneously(see fig.8 where the multimedia programming and inlaid UI being presented together; if program schedule information is available for the period from February 27 through March 5, pressing the Right Arrow key while cell 320 ,February 28, is highlighted causes the calendar 302 to switch to the next month, Col.17, lines 18-28);
    present new content in response to one or more a user interactions received by the input unit, wherein such interactions are indicative of a user selection of one or more of the options of the inlaid quick EPG-navigation UI(pressing the Right Arrow key while cell

320 ,February 28, is highlighted causes the calendar 302 to switch to the next month, col.17, lines 18-28).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Alexander with the invention of lemons for the purpose of allowing the system to display a current program and a future program simultaneously.

Re claim 22, Alexander et al disclose wherein the new content is selected from a group consisting of:

a new EPG UI listing future programming based upon one or more characteristics of that programming;

a new grid showing a schedule of upcoming multimedia programming of the EPG UI starting at a time in the future (viewer can choose to view the Grid Guide in an "all channel" format which displays in some order every channel and the listings of programs already in progress or scheduled to begin at some time in the future, col.10, lines 32-35);

a live television multimedia program;

a on-demand multimedia program;

a pay-per-view multimedia program;

a locally stored multimedia program;

a multimedia commercial message.

Re claim 23, Alexander et al disclose wherein the triggering user interactions are selected from a group consisting of:

multiple repeated performance of a "scroll-forward" selection action
which advances a presentation of a schedule of programming in the grid of the EPG UI
a predefined amount of time into the future (the viewer user can jump directly to a future day of programming schedule information, col.15, lines 43-44);

a predefined number of multiple repeated performance of a "scroll- forward" selection action;

a performance of a designated selection action.

Re claim 24, Alexander et al disclose wherein the user- selectable options are selected from a group consisting of:

option to search future programming based upon one or more characteristics of that programming;

option to look ahead into the schedule of multimedia programming of the EPG UI;

option to view one or more live television multimedia programs;

option to view one or more on-demand multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more locally stored multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more multimedia commercial messages;

option to filter (the viewer is also given the option of filtering, col.11, lines 35-36) or otherwise adjust the parameters the determine which programs   are listed by time within the grid.

Re claim 25, Alexander et al disclose a first display area illustrating a schedule of multimedia programming in a grid pattern (see fig.8, grid guide);

an executable process associated with one or more of the user-selectable options that is configured to present new content in response to one or more a user interactions received by the input unit (see fig.2, remote control that allows users to use arrow keys and the" select button" to activate a selection) that is indicative of a user selection of one or more of the options of the quick EPG-navigation UI.

But Alexander et al did not explicitly disclose a second display area illustrating an inlaid quick EPG-navigation UI, the inlaid quick EPG-navigation UI being inlaid within the EPG UI and having one or more user-selectable options the inlaid quick EPG-navigation UI positioned so that it is logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern, the schedule of multimedia programming and the inlaid quick navigation UI both being presented simultaneously.

However, lemons et al disclose a second display area illustrating an inlaid quick EPG-navigation UI, the inlaid quick EPG-navigation UI being inlaid within the EPG UI and having one or more user-selectable options the inlaid quick EPG-navigation UI positioned so that it is logically inlaid between time blocks of the schedule of multimedia programming in the grid pattern, the schedule of multimedia programming and the inlaid

quick navigation UI both being presented simultaneously(see fig.8, display 302 and 304; if program schedule information is available for the period from February 27 through March 5, pressing the Right Arrow key while cell 320, February 28, is highlighted causes the calendar 302 to switch to the next month, Ccol.17, lines 18-28).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to combine the invention of Alexander with the invention of lemons for the purpose of allowing the system to display a current program and a future program simultaneously.

Re claim 26, Alexander et al disclose wherein the responding to the user's selection comprises presenting new content of which is selected from a group consisting of:

a new EPG UI listing future programming based upon one or more characteristics of that programming;

a new grid showing a schedule of upcoming multimedia
programming of the EPG UI starting at a time in the future (viewer can choose to view the Grid Guide in an "all channel" format which displays in some order every channel and the listings of programs already in progress or scheduled to begin at some time in the future, col.10, lines 32-35);

a live television multimedia program;

a on-demand multimedia program;

a pay-per-view multimedia program;

a locally stored multimedia program;

a multimedia commercial message.

Re claim 27, Alexander et al disclose wherein the triggering user interactions are selected from a group consisting of:

multiple repeated performance of a "scroll-forward" selection action which advances a presentation of a schedule of programming in the grid of the EPG UI a predefined amount of time into the future(the viewer user can jump directly to a future day of programming schedule information, col.15, lines 43-44);

a predefined number of multiple repeated performance of a "scroll- forward" selection action;

a performance of a designated selection action.

Re claim 28, Alexander et al disclose wherein the user- selectable options are selected from a group consisting of:

option to search future programming based upon one or more characteristics of that programming;

option to look ahead into the schedule of multimedia programming of the EPG UI;

option to view one or more live television multimedia programs;

option to view one or more on-demand multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more locally stored multimedia programs;

option to view one or more pay-per-view multimedia programs;

option to view one or more multimedia commercial messages;

option to filter (the viewer is also given the option of filtering, col.11, lines 35-36) or otherwise adjust the parameters the determine which programs   are listed by time within the grid.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system.

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1000.

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